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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,292	02/20/2001	Lorenzo Cicchitelli	169.1990	4229
5514	7590	07/25/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			HUYNH, THU V	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/785,292	Applicant(s) CICCHITELLI ET AL.	
	Examiner Thu V. Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,5-10,13,23,24,29 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,5-10,13,35 and 36 is/are allowed.
- 6) ☐ Claim(s) 23-24, 29, 34, 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 05/10/06 to application filed on 02/20/2001 which has foreign priority filed on 02/28/2000.
2. Claims 1-2, 4, 11-12, 14-22, 25-28 and 30-33 are currently canceled.
3. Claims 3, 5-10, 13, 23-24, 29 and 34 are currently amended.
4. Claims 35-37 are added.
5. Claims 3, 5-10, 13, 23-24, 29, 34-37 are pending in the case.
6. All rejections in the previous office action have been withdrawn as necessitated by the amendment.

Claim Objections

7. **Claims 23-24 are objected to because of the following informalities:**

Regarding independent claim 23, the phrase “one or more hyperlink” in line 10 of the selecting step has typographical error because of missing “s” in word “hyperlink. Appropriate correction is required.

Regarding dependent claim 24, which is dependent on claim 23, the phrase “the hyperlinks” should be amended to “the one or more hyperlinks” to produce the claim consistence. Appropriate correction is required.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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9. **Claims 34 and 37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

Regarding claims 34 and 37, claim 14 is for a computer program product comprising machine-readable program code recorded in a machine-readable recording medium for performing the methods of claims 29 and 35. However, the computer-readable medium in the specification, page 6, lines 15-19 and page 7, lines 8-17, indicates that the medium is interpreted as the form of energy used in the wireless communication (signal), which does not fall within a statutory category of invention.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. **Claims 23, 29 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Becker et al., US 6,848,075 B1, filed 02/10/00.**

Regarding independent claim 23, Becker teaches the steps of:

- downloading the hypertext document (Becker, fig.4, box 404; col.9, lines 46-48; downloading a web page);

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- locating the one or more hyperlinks in the downloaded hypertext document (Becker, fig.4, boxes 410-412; col.10, lines 17-31; finding a hyperlink in the downloaded web page);
- analyzing the one or more hyperlinks or the hypertext document for information associated with the one or more hyperlinks (Becker, col.10, line 32 – col.11, line 8; “analyze each hyperlink by performing certain additional steps ... selects a first hyperlink to examine”);
- selecting one font from the collection of fonts, based on the associated information of the one or more hyperlinks and information associated with the selected font (Becker, fig.4, boxes 418-419; col.2, lines 1-5; col.9, lines 19-23; col.11, lines 6-16; enhancing the presentation of the hyperlink by changing the font of the hyperlink); and
- replacing the initial font of the one or more hyperlinks with the selected font (Becker, fig.4, boxes 418-418; col.2, lines 1-5; col.9, lines 19-23; col.11, lines 6-16; displaying/presenting the hyperlink in the changed font).

Regarding dependent claim 24, which is dependent on claim 23, Becker teaches the associated information comprises the type and content of the one or more hyperlinks (Becker, col.10, lines 51-60; col.11, line 58 – col.12, line 12).

Claim 29 is for an apparatus performing the method of claim 23 and is rejected under the same rationale.

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Claim 34 is for a computer program performing the method of claim 23 and is rejected under the same rationale.

Allowable Subject Matter

12. Claims 3, 5-10, 13, 35-36 are allowed.

Response to Arguments

13. Applicant's arguments with respect to claims 23-24, 29 and 34 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Rosenberg does not teach amended limitations of claims 23-24, 29 and 34.

However, Becker teaches the amended limitations of claims 23-24, 29 and 34 as explained in the rejection above.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McQueen, III et al., US 5,586,242, filed 1994, teaches font manager with selective access of installed font.

Shiimori, US 7010,587 B1, filed 08/00, teaches data communication system and server and client computer constructing said system.

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Ying et al., US 6,853,980 B1, filed 09/99, teaches system for selecting, distributing, and selling fonts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thu V. Huynh
July 21, 2006